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PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032  
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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 240.1001.01

First Inventor Loughmiller

Title Dynamic Message Filtering

Express Mail Label No. EL 768 962 258 US

U.S. PTO  
10/03/02

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents  
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Washington, DC 20231

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17)<br><i>(Submit an original and a duplicate for fee processing)</i>  | 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or<br>Computer Program (Appendix)                                 |
| 2. <input type="checkbox"/> Applicant claims small entity status.<br><i>See 37 CFR 1.27.</i>  | 8. Nucleotide and/or Amino Acid Sequence Submission<br><i>(if applicable, all necessary)</i>   |
| 3. <input checked="" type="checkbox"/> Specification<br><i>(preferred arrangement set forth below)</i> [Total Pages 42]   | a. <input type="checkbox"/> Computer Readable Form (CRF)   |
| -Descriptive title of the Invention   |  |
| -Cross Reference to Related Applications  |  |
| -Statement Regarding Fed sponsored R & D  |  |
| -Reference to sequence listing, a table,<br>or a computer program listing appendix  |  |
| -Background of the Invention  |  |
| -Brief Summary of the Invention   |  |
| -Brief Description of the Drawings <i>(if filed)</i>  |  |
| -Detailed Description   |  |
| -Claim(s)   |  |
| -Abstract of the Disclosure   |  |
| 4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 5]  | 9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))  |
| 5. Oath or Declaration [Total Pages ]   | 10. <input type="checkbox"/> 37 CFR 3.73(b) statement <input type="checkbox"/> Power of Attorney<br><i>(when there is an assignee)</i> |
| a. <input type="checkbox"/> Newly executed (original or copy)   | 11. <input type="checkbox"/> English Translation Document <i>(if applicable)</i>   |
| b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d))<br><i>(for continuation/divisional with Box 18 completed)</i>  | 12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations          |
| i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b><br>signed statement attached deleting inventor(s)<br>named in the prior application, see 37 CFR 1.63(d)(2)<br>and 1.33(b). | 13. <input type="checkbox"/> Preliminary Amendment   |
| 6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76  | 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)<br><i>(Should be specifically itemized)</i>                 |
| 15. <input type="checkbox"/> Certified Copy of Priority Document(s)<br><i>(if foreign priority is claimed)</i>  |  |
| 16. <input checked="" type="checkbox"/> Nonpublication Request under 35 U.S.C. 122<br>(b)(2)(B)(i). Applicant must attach form Pto/SB/35<br>or its equivalent.                        |  |
| 17. <input type="checkbox"/> Other _____  |  |

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation    Divisional    Continuation-in-part (CIP)

of prior application No: \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_

Group/Art Unit: \_\_\_\_\_

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.  
The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 18. CORRESPONDENCE ADDRESS

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Name (Print/type)	Steven A. Swernofsky	Registration No. (Attorney/Agent)	33,040
Signature	<i>S.A. Swernofsky</i>	Date	10-03-2003

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<b>NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(I)</b>	First Named Inventor	Loughmiller
	Title	Dynamic Message Filtering
	Atty Docket Number	240.1001.01

I hereby certify that the invention disclosed in the attached application **has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.**

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

10/03/2003

Date

Signature

Steven A. Swernofsky      Reg no. 33,040

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**